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Attorneys for Defendant TESLA, INC.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

DAVID RASMUSSEN, an individual, on  
behalf of himself and all others similarly  
situated

Plaintiffs,

v.

TESLA, INC., a Delaware corporation.

Defendant.

Case No.: 5:19-cv-04596-BLF

**STIPULATION AND [PROPOSED] ORDER TO  
CONTINUE STAY PENDING MEDIATION**

STIPULATION AND [PROPOSED] ORDER TO CONTINUE STAY PENDING MEDIATION

CASE No.: 5:19-cv-04596-BLF

1 Plaintiff David Rasmussen (“Plaintiff”) and Defendant Tesla, Inc. (“Defendant”), through their  
2 undersigned counsel, hereby stipulate as follows:

3 WHEREAS, on August 7, 2019, Plaintiff filed Class Action Complaint;

4 WHEREAS, the parties had a mediation on July 24, 2020 with the Hon. Daniel Weinstein and  
5 Cathy Yanni of JAMS, Inc.;

6 WHEREAS, this Court previously continued the stay of this litigation to facilitate the parties’  
7 continuing discussions (ECF No. 37);

8 WHEREAS, the parties are continuing their discussions in good faith and require additional time  
9 to complete them;

10 WHEREAS, the parties desire to preserve the status quo and prevent the parties and the Court  
11 from unnecessarily expending resources pending mediation;

12 THEREFORE, subject to the approval of the Court, the parties agree and stipulate as  
13 follows: The parties will report to the Court with an update on March 31, 2020. This matter  
14 shall be stayed until that date, and all other case deadlines shall be vacated.

15  
16 IT IS SO STIPULATED.

17 Dated: February 2, 2021

Respectfully submitted,

18  
19 By: /s/ Sean P. Gates  
20 Sean P. Gates  
21 CHARIS LEX P.C.  
22 Attorneys for Defendant  
TESLA, INC.

23 Dated: February 2, 2021

Respectfully submitted,

24  
25 By: /s/ Nimish R. Desai  
26 Nimish R. Desai  
27 LIEFF CABRASER HEIMANN &  
28 BERNSTEIN, LLP  
Attorneys for Plaintiff  
DAVID RASMUSSEN

**ECF ATTESTATION**

I, Sean Gates, am the ECF User whose ID and password are being used to file the foregoing  
STIPULATION AND [PROPOSED] ORDER TO STAY CASE PENDING MEDIATION. In  
compliance with Local Rule 5-1, I hereby attest that Nimish Desai concurred in this filing.

Dated: February 2, 2021

By: /s/ Sean P. Gates  
Sean P. Gates  
CHARIS LEX P.C.  
Attorneys for Defendant  
TESLA, INC.

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED that the parties will report to the Court with an update on March 31, 2020. This matter shall be stayed until that date, and all other case deadlines shall be vacated.

Dated:

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Honorable Beth L. Freeman  
Judge of the United States District Court